



Ron Chapman, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH

50 D STREET, SUITE 200, SANTA ROSA, CA 95404

PHONE: (707) 576-2145 / FAX: (707) 576-2722

INTERNET ADDRESS: www.cdph.ca.gov



EDMUND G. BROWN JR.
Governor

November 13, 2013

Water System No. 4900791

Matt Widener
Western Mobile Home Park
871 38th Avenue
Santa Cruz, CA 95062

CITATION NO. 02-18-13C-066

**TRICHLOROETHYLENE MAXIMUM CONTAMINANT LEVEL VIOLATION AND
DOMESTIC WATER SUPPLY PERMIT No. 02-18-05P-4900791 VIOLATION**

Enclosed is a Citation issued to the Western Mobile Home Park (System).

Your System will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this Citation since this is an enforcement action for noncompliance with State regulations. At this time, we have spent approximately one hour on enforcement activities associated with this violation. You will receive a bill sent from our Fee Billing Unit in Sacramento on approximately August 1, 2014. This bill will contain fees for any enforcement time spent on your System.

If you have any questions regarding this matter, please contact George Chien of my staff at (707) 576-2971 or me at (707) 576-2006.

Sincerely,

Janice M. Thomas, P.E.
Sonoma District Engineer
Drinking Water Field Operations Branch

Enclosures: Citation No. 02-18-13C-066

CC (w/ Enclosures): Denny Yoas, 3309 Santa Rosa Avenue, Santa Rosa, CA 95407
Tim Ehlert, P.O. Box 176, Sebastopol, CA 95473

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: Western Mobile Home Park

Water System No: 4900791

To: Matt Widener
871 38th Avenue
Santa Cruz, CA 95062

Issued: November 13, 2013

CITATION FOR NONCOMPLIANCE
WITH TRICHLOROETHYLENE MAXIMUM CONTAMINANT LEVEL
AND
DOMESTIC WATER SUPPLY PERMIT NO. 02-18-05P-4900791
THIRD QUARTER 2013

Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.



1 The Division of Drinking Water and Environmental Management of the State
2 of California Department of Public Health (Department) hereby issues a
3 citation to the Western Mobile Home Park (System) for failure to comply with
4 Title 22, California Code of Regulations (CCR) Section 64444 and Domestic
5 Water Supply Permit No. 02-18-05P-4900791.
6

7 8 **APPLICABLE AUTHORITIES**

9
10 Section 116650 of the CHSC states in relevant part:

- 11 (a) If the department determines that a public water system is in violation of this
12 chapter or any regulation, permit, standard, citation, or order issued or adopted
13 thereunder, the department may issue a citation to the public water system.
14 The citation shall be served upon the public water system personally or by
15 certified mail. Service shall be deemed effective as of the date of personal
16 service or the date of receipt of the certified mail. If a person to whom a citation
17 is directed refuses to accept delivery of the certified mail, the date of service
18 shall be deemed to be the date of mailing.
19
- 20 (b) Each citation shall be in writing and shall describe the nature of the violation or
21 violations, including a reference to the statutory provision, standard, order,
22 citation, permit, or regulation alleged to have been violated.
23
- 24 (c) A citation may specify a date for elimination or correction of the condition
25 constituting the violation.
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(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

California Code of Regulations, Section 64444 states in relevant part:

The Maximum Contaminant Levels (MCLs) for the primary drinking water chemicals shown in Table 64444-A shall not be exceeded in the water supplied to the public.

Table 64444-A
Maximum Contaminant Levels
Organic Chemicals

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
(a) Volatile Organic Chemicals (VOCs)	
Trichloroethylene.	0.005

California Code of Regulations, Section 64445.1 (c)(5)(B) states in relevant part:

If the running annual average concentration exceeds the MCL in Table 64444-A, the water system shall be deemed to be in violation of §64444.

Provision 4 of Domestic Water Supply Permit No. 02-18-05P-4900791 states:

Water supplied by Western Mobile Home Park for domestic purposes shall meet all MCLs established by the California Department of Health Services. If the water

1 quality does not comply with the California Drinking Water Standards, treatment
2 shall be provided to meet the standards or an alternate source shall be provided
3 which meets the standards.

4 5 **STATEMENT OF FACTS**

6
7 The Department received December 26, 2012, May 22, June 25 and
8 September 4, 2013 trichloroethylene (TCE) monitoring results for Well 01 of
9 0.0035 milligrams per liter (mg/L), 0.0046 mg/L, 0.0085 mg/L, and 0.0083
10 mg/L, respectively. The calculated running annual average (RAA)
11 concentration of quarterly results is 0.0061 mg/L, which exceeds the
12 maximum contaminant level of 0.005 mg/L.
13

14
15 No TCE treatment is provided for Well 01. In the inspection letter dated
16 August 28, 2013, the Department encouraged the System to install removal
17 treatment for volatile organic chemical before the TCE RAA exceeded the
18 MCL. The letter also reminded the System that it would need to apply for an
19 amended permit for treatment installation. To date, the Department has not
20 received the amended permit application or any other proposal to lower the
21 concentration of TCE in water produced by Well 01.
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DETERMINATIONS**THE DEPARTMENT HAS DETERMINED:**

The System violated Title 22 of the CCR, Sections 64444 and 64445.1 (c)(5)(B) in that the TCE RAA concentration exceeds the MCL. The System also violated Provision 4 of the Domestic Water Supply Permit No. 02-18-05P-4900791.

DIRECTIVES

Western Mobile Home Park is hereby directed to take the following actions:

1. Comply with Sections 64444 and 64445.1 (c)(5)(B), Title 22, of the CCR and Provision 4 of Domestic Water Supply Permit 02-18-05P-4900791 in all future monitoring periods.
2. Notify all persons served by the System of the TCE MCL violation, in conformance with Section 64463.4 and 64465, Title 22 of the CCR, and as follows:
 - a) Completion of Attachment A to include the name, address, and telephone number of a System representative as a source of additional information concerning the public notice. **You must**



1 also give a legible, written description (preferably typed) of
2 the corrective actions taken by the water system to prevent
3 this violation from occurring in the future. You must use the
4 space provided in Attachment A for this written description.
5

6
7 b) Provide the notice by mail or direct delivery, **after it has been**
8 **completed in accordance with (a) above**, to each customer or
9 service connection served by the System by **December 13,**
10 **2013.**

11
12 c) Publish the notice contained in Attachment A, **after it has been**
13 **completed in accordance with (a) above**, in a local newspaper
14 of general circulation in the area served by the System (or weekly
15 newspaper if no daily paper is available) for one day. The
16 publication in a local newspaper must be completed by
17 **December 13, 2013.**
18

19
20 d) Provide public notice for this violation in accordance with Section
21 64465(c), Title 22 or the CCR, which requires for each non-
22 English speaking group that exceeds 1,000 residents or 10% of
23 the residents in a community (whichever is less) that the public
24 notice contain information in the appropriate language(s)
25 regarding the importance of the notice, or contain a telephone
26 number or address where such residents may contact the water
27



1 system to receive a translated copy of the notice or to receive
2 assistance in the appropriate language.

3
4
5 3. The System shall complete the attached Compliance Certification
6 form and return it to the Department in no case later than **January**
7 **31, 2014. A copy of the notice published in the newspaper and a**
8 **copy of the notice delivered to the customers must be attached**
9 **to the form.**

10
11 4. The System shall develop a plan to cease seving water that is no in
12 compliance with the CCR to the public. The plan shall be submitted to
13 the Department no later than **January 31, 2014** and implemented no
14 later than **April 30, 2014.**

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17 The Department reserves the right to make such modifications to this
18 Citation as it may deem necessary to protect public health and safety. Such
19 modifications may be issued as amendments to this Citation and shall be
20 effective upon issuance.

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23 Nothing in this Citation relieves the System of its obligation to meet the
24 requirements of the California Safe Drinking Water Act (CHSC, Division 104,
25 Part 12, Chapter 4, commencing with Section 116270), or any regulation,
26 standard, permit or order issued thereunder.

27



1
2 All submittals required by this Citation shall be submitted to the Department
3 at the following address: Janice M. Thomas, P.E.
4 Department of Public Health
5 Drinking Water Field Operations Branch
6 50 D Street, Suite 200
7 Santa Rosa, CA 95404

8 **PARTIES BOUND**

9
10 This Citation shall apply to and be binding upon the System, its officers,
11 directors, agents, employees, contractors, successors, and assignees.
12

13 **SEVERABILITY**

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16 The directives of this Citation are severable, and the System shall comply
17 with each and every provision thereof notwithstanding the effectiveness of
18 any provision.
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20 **FURTHER ENFORCEMENT ACTION**

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23 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the
24 California Health and Safety Code authorizes the Department to: issue
25 additional citations with assessment of penalties if the System continues to
26 fail to correct a violation identified in a citation; take action to suspend or
27 revoke a permit that has been issued to a public water system if the System



1 has violated applicable law or regulations or has failed to comply with orders
2 of the Department; and petition the superior court to take various
3 enforcement measures against a public water system that has failed to
4 comply with orders of the Department. The Department does not waive any
5 further enforcement action by issuance of this citation.
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9
10 November 13, 2013

11 Date

Janice M. Thomas

12 Janice M. Thomas, P.E.

13 Sonoma District Engineer

14 Drinking Water Field Operations Branch

15 Attachments: Compliance Certification

16 Attachment A

17
18 Certified Mail No. 7012 2240 0002 1673 6116



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26
27 4900791/Compliance
02-18-13C-066-4900791-02.docx/GC



COMPLIANCE CERTIFICATION

Citation Number: 02-18-13C-066

Name of Water System: Western Mobile Home Park

System Number: 4900791

Certification

I certify that the users of the water supplied by this water system were notified of the trichloroethylene MCL violations of Title 22, California Code of Regulations (CCR).

Required Action	Date Completed
Complete Attachment A, as required in Directive 2(a)	<input type="text"/>
Public Notification – Mail or Direct Delivery	<input type="text"/>
Public Notification – Newspaper	<input type="text"/>
Submit compliance plan	<input type="text"/>

Signature of Water System Representative

Date

Attach a copy of the notice delivered to the customers and a copy published in the newspaper.

<p>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN JANUARY 31, 2014</p>

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.

Attachment A

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Western Mobile Home Park Has Levels of Trichloroethylene (TCE) Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results from September 4, 2013 showed trichloroethylene (TCE) levels of 0.0083 milligrams per liter (mg/L). The running annual average concentration is 0.0061 which is also above the standard, or maximum contaminant level (MCL) of 0.005 mg/L.

Additionally, our Domestic Water Supply Permit (Number 02-18-05P-4900791 issued by California Department of Public Health) states that treatment or alternate source will be provided to help the water quality to meet the standard. To present, no treatment or other method has been provided to meet the standard, which violates our permit.

What should I do?

- **You do not need to use an alternative water supply (e.g., bottled water).**
- This is not an immediate risk. If it had been, you would have been notified immediately. However, Some people who use water containing trichloroethylene in excess of the MCL over many years may experience liver problems and may have an increased risk of getting cancer.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

[Describe corrective action]. We anticipate resolving the problem within [estimated time frame].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS: Must notify tenants.

This notice is being sent to you by Western Mobile Home Park.

State Water System ID#: 4900791. Date distributed: _____.